HB1007 HD1

RELATING TO MOTOR VEHICLE DRIVER LICENSING.

Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States. Authorizes causes of action for victims of discrimination because of the limited driver's license. (HB1007 HD1)





FORD FUCHIGAMI

Deputy Directors
JADE BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION

869 PUNCHBOWL STREET HONOLULU, HAWAII 96813-5097

March 17, 2015 2:50 p.m. State Capitol, Room 229

H.B. 1007, H.D.1 RELATING TO MOTOR VEHICLE DRIVER LICENSING

Senate Committee on Transportation

The Department of Transportation (DOT) **supports** the intent of this bill with recommended amendments that would authorize the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or a permit, but do not present proof of authorized presence in the United States.

The State of Hawaii driver license and state identification card have been certified by the Department of Homeland Security (DHS) as being compliant with the Federal REAL ID Act of 2005. Because DHS has determined that Hawaii's driver licenses and state identification cards are compliant, our residents are able, and will continue to be able to use them to board commercial airlines, enter federal buildings and access nuclear facilities.

The DOT supports allowing all individuals to obtain "limited purpose" driving licenses and permits provided it does not jeopardize the State's compliance certification. This will improve public safety by ensuring all drivers are tested for driving skills and are able to acquire motor vehicle insurance.

The DOT recommends amending H.B. 1007 H.D.1 by using the language of S.B.683 S.D.2.

Thank you for the opportunity to present testimony.

TESTIMONY OF THE HAWAI'I POLICE DEPARTMENT HOUSE BILL 1007, HD1

RELATING TO MOTOR VEHICLE DRIVER LICENSING

BEFORE THE COMMITTEE ON TRANSPORTATION

DATE: Tuesday, March 17, 2015

TIME : 2:50 P.M.

PLACE: Conference Room 229

State Capitol

415 South Beretania Street

PERSON TESTIFYING:

Police Chief Harry S. Kubojiri Hawai`i Police Department County of Hawai`i

(Written Testimony Only)



Harry S. Kubojiri .

Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998 (808) 935-3311 • Fax (808) 961-2389

March 16, 2015

Senator Clarence K. Nishihara Chairperson and Committee Members Committee on Transportation 415 South Beretania Street, Room 224 Honolulu, Hawai`i 96813

RE: HOUSE BILL 1007, HD1, RELATING TO MOTOR VEHICLE DRIVER LICENSING

Dear Senator Nishihara:

The Hawai'i Police Department opposes House Bill 1007, HD1, with its purpose being to list the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number. It further authorizes the examiner of drivers to license applicants who produce these documents.

This legislation as written is crafted in a manner to allow undocumented foreign nationals the opportunity of obtaining State of Hawai`i Drivers' licenses. We believe this measure will have the effect of inviting even more undocumented foreign nationals to our state in direct violation of Federal Law. In effect, we would for all intents and purposes be aiding a small segment of the community who has made a conscious effort to violate Federal Laws which are in place for the benefit of the larger segment of the community. This larger segment of the community has chosen to adhere to laws which have been properly set forth and to controvert the process in place would serve to send the wrong message to the community at large.

For these reasons, we must oppose this legislation.

Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 1007, HD1.

Sincerely,

HARRY S. KUBOJIRI

POLICE CHIEF

HAWAII STATE COMMISSION ON THE STATUS OF WOMEN



Chair LESLIE WILKINS

COMMISSIONERS:

ELENA CABATU JUDY KERN MARILYN B. LEE CARMILLE LIM AMY MONK LISA ELLEN SMITH

Executive Director CATHY BETTS, JD

Emair: Catherine.a.betts@hawaii.gov

Visit us at: humanservices.hawaii.gov /hscsw/

235 S. Beretania #407 Honolulu, HI 96813 Phone: 808-586-5758 FAX: 808-586-5756 March 17, 2015

To: Senator Clarence Nishihara, Chair Senator Breene K. Harimoto, Vice Chair

Members of the Senate Committee on Transportation

From: Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Strong Support of HB 1007, HD1, Relating to Motor Vehicle Driver Licensing

Thank you for this opportunity to testify in strong support of HB 1007, HD1, which creates a limited purpose driver's license, provisional license and instruction permit for Hawaii residents regardless of immigration status. Female immigrants in Hawaii are disproportionately affected by the complete bar on licensure. Women serve as primary caregivers to family members and children, and as such, face real fears when they are required to drive. Particularly in rural areas where public transportation is less accessible, this problem becomes even more apparent.

The Migration Policy Institute reports that one of the top three issues faced by immigrants in Hawaii is the ability to drive safely and legally to work, obtain groceries, drop children off at school and to doctors' appointments. Further, in cases of abuse, allowing licensure of victims ensures a path to safety. Women should not have to choose between breaking the law (driving without a license) and going to apply for a temporary restraining order, or taking a sick child to the doctor.

HB 1007, HD1, would allow immigrants without legal status to obtain appropriate licensure, ensuring that our roads are safer. We urge you to support HB 1007, HD1.

Thank you for your time.



HAWAI'I CIVIL RIGHTS COMMISSION

830 Punchbowl Street, Room 411 Honolulu, HI 96813 ·Phone: 586-8636 Fax: 586-8655 TDD: 568-8692

March 17, 2015 2:50 p.m. Conference Room 229

To: Hon. Clarence K. Nishihara, Chair

and Members of the Senate Committee on Transportation

From: Linda Hamilton Krieger, Chair

and Commissioners of the Hawai'i Civil Rights Commission

Re: H.B. No. 1007, H.D.1

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

H.B. No. 1007, H.D.1, if enacted, would amend HRS Chapter 286, to authorize the issuance of provisional or limited purpose driver's licenses to persons who do not have Social Security Numbers or proof that his or her presence in the United States is authorized by federal law. The HCRC strongly supports H.B. No. 1007, H.D.1.

The HCRC opposes ancestry and race-based discrimination associated with attacks on and denial of rights to undocumented immigrants. It is good public policy that that these residents who are undocumented immigrants be granted licenses to operate motor vehicles, making for improved read safety, with these drivers being qualified through written examinations and road tests, and should result in higher rates of insured drivers on the road. This will help to bring these residents out of the shadows and improve public safety.

The HCRC raises two concerns with the current draft of the bill:

1. In subsection (f) of the new section, found at page 9, line 18, through page 10, line 6, the H.D.1 apparently creates a new protected basis under our state fair employment, public accommodations, and fair housing laws, prohibiting discrimination against any person because they applied for, were denied, or were issued a limited purpose driver's license. It is unclear what exactly this means, whether it is meant to create a new protected class under all of these statutes, or just to preserve the same protections against discrimination for limited purpose license holders that every person enjoys. If it is the latter, it is unnecessary to add this protection, as our civil rights laws prohibiting discrimination in employment, public accommodations, and housing protect all persons, regardless of their immigration status or documentation. It is also important to recognize that limited purpose driver's licenses may or may not be acceptable for employment verification under federal law, under which an

- employer is required to obtain post-offer verification of identity and authorization to work.
- 2. The HCRC urges that the bill be amended to express a legislative intent that limited purpose driver's licenses be available wherever regular driver's licenses are available.

The HCRC urges favorable consideration of H.B. No. 1007, H.D.1, with request for consideration of the two concerns raised above.



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Executive Director Victor Geminiani, Esq.

Testimony of Hawai'i Appleseed Center for Law and Economic Justice In Support of HB 1007 Relating to Motor Vehicle Driver Licensing Senate Committee on Transportation Scheduled for Hearing Tuesday, March 17, 2015, 2:50 PM, Room 229

Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit law firm created to advocate on behalf of low-income individuals and families in Hawai'i on legal and policy issues of statewide importance. Our core mission is to help our clients access to the resources and fair treatment they need to realize their opportunities for self-achievement and economic security.

Thank you for the opportunity to testify in **strong support** of House Bill 1007, which would create a limited purpose driver's license, provisional license, and instruction permit that would be available to all Hawai'i residents, regardless of their ability to show proof of authorized presence in the U.S. As it stands, overly restrictive documentation requirements mean that many people in our community cannot apply for a driver's license. Providing greater access to driver's licenses will improve road safety, increase insurance coverage, promote better relations with law enforcement, and let all of our residents come into compliance with the law.

Immigrants, regardless of status, drive because they need to get to work, transport their children, take aging parents to the doctor, and engage in other basic, day-to-day activities. Regardless of one's feelings about immigration, these facts are not going to change. Especially for those in rural areas, driving is critical. We should ensure that all drivers understand traffic laws and drive safely. No one should be forced to break the law just to provide and care for their families.

Access to driver's licenses will also help the entire community by increasing insurance coverage. More licensed drivers means more insured drivers, and the expense of covering accidents involving uninsured motorists will decline and lower rates for everyone. In addition, relations with law enforcement officers will be improved. Officers will be able to quickly identify drivers during stops and efficiently check the driver's traffic and criminal records. And during emergency situations, first responders and health care providers will be better able to identify their patient.

While 3.1 percent of Hawai'i's population cannot show proof of lawful presence at all, the stringent documentation requirements create barriers for other populations, including many citizens. Low-income people are disproportionately impacted by the arduous documentation requirements. Individuals experiencing homelessness have particular difficulty maintaining their documents. Other populations affected include elders and people fleeing domestic violence situations or natural disasters—anyone who has financial or logistical challenges accessing certain documents.

A growing number of states recognize these facts—no one is any safer when people on the road lack licenses—and have identified limited purpose licenses as an effective solution. Those who seek to follow our laws should not be turned away based on their ability to provide particular documents when there are other ways to prove their identity and Hawai'i residency, and no driver should be driving unlicensed. Barring access for these residents only diminishes our safety and well-being. Creating limited purpose drivers licenses would advance social and economic justice as well as safety. Again, thank you for an opportunity to testify in **strong support** of HB 1007 to create a safer, more inclusive Hawai'i for all of our families.



Pauahi Tower, Suite 2010 1003 Bishop Street Honolulu, Hawaii 96813 Telephone (808) 525-5877

Alison H. Ueoka Executive Director

TESTIMONY OF ALISON UEOKA

COMMITTEE ON TRANSPORTATION Senator Clarence K. Nishihara, Chair Senator Breene Harimoto, Vice Chair

> Tuesday, March 17, 2015 2:50 p.m.

HB 1007, HD1

Chair Nishihara, Vice Chair Harimoto, and members of the Committee on Transportation, my name is Alison Ueoka, Executive Director of the Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately thirty-six percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council offers comments on this bill. HIC does not object to the intent of the bill, which is to allow those persons an alternative way to obtain a driver's license.

We respectfully request the bill be amended to include a provision for a unique identifier on these types of driver's licenses in order to track data. One simple way to do that would be to change the letter identifier on the Hawaii driver license number without changing the number of fields.

Thank you for the opportunity to testify.



CATHOLIC CHARITIES HAWAI'I

TESTIMONY IN SUPPORT OF HB 1007, HD1: Relating to Motor Vehicle Driver Licensing

TO: Senator Clarence Nishihara Chair, Senator Breene Harimoto, Vice Chair, and

Members, Committee on Transportation

FROM: Trisha Kajimura, Social Policy Director, Catholic Charities Hawai'i

Hearing: Tuesday, March 17, 2015, 2:50 PM, Conference Room 229

Thank you for the opportunity to testify on HB 1007, HD1 which will increase access to Hawaii drivers' licenses for people currently ineligible. Catholic Charities Hawai'i supports HB 1007, HD1: Relating to Motor Vehicle Driver Licensing.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for almost 70 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services and advocacy to the most vulnerable of the people in Hawai'i.

Immigrants are a vulnerable group that CCH has provided services to for many years. The roots of CCH's immigrant services go back to 1944, when four Maryknoll sisters worked out of the back of the Chancery office on Fort Street Mall near Chinatown to attend to the needs of immigrant families and children. Today we provide English language and acculturation classes as well as low-cost assistance with immigration applications. In Hilo, we have an Immigration Resource Center that provides services to help immigrants make the adjustments and gain the skills critical to attaining a productive life in Hawai'i.

HB 1007 will help immigrants deal with some of the challenges of daily life and make roadways safer for everyone. It will increase the amount of trained, tested, and insured drivers in our state. 11% of Hawai'i's drivers are estimated to be uninsured. These uninsured drivers increase the cost of driving for those of us who follow the law.

HB 1007 will also help to improve the relationship between immigrant communities and law enforcement. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop, and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Additionally, HB 1007 will help people who are not immigrants but who are having difficulty, due to cost or logistics, obtaining the currently required documents for a driver's license. This would include seniors, expecially low-income seniors, people transitioning from homelessness, domestic violence victims and disaster victims.

Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

Thank you for the opportunity to testify, please contact me at (808)527-4810 or trisha.kajimura@catholiccharitieshawaii.org if you have any questions.









PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

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TO: Senator Clarence K. Nishihara, Chair

Senator Breene Harimoto, Vice Chair

Members, Senate Committee on Transportation

FROM: Scott Morishige, MSW

Executive Director, PHOCUSED

HEARING: Tuesday, March 17, 2015 at 2:50 p.m. in Conf. Rm. 229

Testimony in support of <u>HB1007 HD1</u>, Relating to Motor Vehicle

Driver Licensing.

Thank you for the opportunity to provide testimony **in support** of HB1007 HD1, which creates a limited purpose driver's license, provisional license, and instruction permit for all Hawaii residents regardless of immigration status. PHOCUSED is a nonprofit membership and advocacy organization that works together with community stakeholders to impact program and policy change for the most vulnerable in our community, including immigrant households.

Many immigrants in Hawaii – including those who are lawfully present and are citizens – are unable to obtain a legal driver's license due to current paperwork requirements. When individuals are unable to obtain a license, yet continue to drive to carry out their daily activities, this places the safety of the community at risk. According to the American Automobile Association, unlicensed drivers are nearly five times more likely to be involved in a fatal car crash than licensed drivers. In addition, unlicensed, uninsured drivers cause damage claims that other policy holders must cover.

Nationally, 11 states, as well as Puerto Rico and the District of Columbia, have enacted legislation that provides access to a driver's license or card regardless of immigration status. Increasing access not only ensures more licensed drivers on the roads, but also results in a decrease in uninsured drivers. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%.

HB1007 will not only impact immigrant populations – but will also benefit other populations that are unable to present the documentation for a driver's license. This includes populations such as domestic violence survivors, the homeless, and victims of a natural disaster.

Once again, we support HB1007 and believe this bill promotes public safety, and reduces risk for Hawaii's motorists. We appreciate the opportunity to testify on this important issue. If you have any questions, please do not hesitate to contact PHOCUSED at 521-7462 or e-mail us at admin@phocused-hawaii.org.

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To: Senator Nishihara, Chair

Senator Breene Harimoto, Vice Chair

Members of the Senate Committee on Transportation

From: Khara Jabola-Carolus, Legislative Coordinator, Hawai'i Coalition for Immigration Reform

Re: Testimony in Strong Support of HB1007 HD1, Relating to Motor Vehicle Driver Licensing

On behalf of the Hawaii Coalition for Immigration Reform, I write in strong support of HB1007 HD1, which creates a limited purpose driver's license, provisional license, and instruction permit for all Hawai'i residents regardless of immigration status. Our Coalition supports both this bill and its Senate iteration, SB 683. This bill, however, is at present stronger than its SB 683 because it contains important anti-discrimination protections, which are found in subsections (f),(g), and (h). We ask that you preserve these key provisions because they serve to guard against potential discrimination and harassment based on national origin and ethnic background. These provisions are a matter of colossal importance given that many individuals who stand to benefit from this license are perceived as members of an "unwelcomed" group of people and may be targets of discriminatory acts.

Thank you for the opportunity to provide testimony in support of $HB1007\ HD1$ and for your leadership on this important issue.

Aloha and mahalo,

Khara Jabola-Carolus

To: TRA Testimony

Cc: <u>stanbain@facehawaii.org</u>

Subject: Submitted testimony for HB1007 on Mar 17, 2015 14:50PM

Date: Sunday, March 15, 2015 6:39:08 PM

HB1007

Submitted on: 3/15/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rev. Stanley Bain	Faith Action for Community Equity (FACE)	Support	Yes

Comments: I am in strong support of HB1007, HD1 for the following reasons: 1) With more "must drive" tested and licensed drivers on the road our roadways are safer. 2) The more people who have an official identification the more likely they are to report accidents, abuse and crimes -- making our homes and communities safer. 3) This limited purpose driver's license will encourage more economic activity and enhance the income of more residents, thereby increasing state revenue. 4) Law enforcement and emergency services will be more efficient because these special driver licenses provide identification. 5) I want to emphasize the huge benefit HD1 provides because it includes protection against discrimination against people who hold limited purposes licenses. Thank you for your consideration of the positive points in my testimon.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



LEGISLATIVE TESTIMONY

HB1007 RELATING TO MOTOR VEHICLE DRIVER LICENSING Senate Committee on Transportation

March 17, 2015 2:50 P.M. Conference Room 229

Aloha mai kākou,

Mahalo nui loa for the opportunity to testify in <u>SUPPORT</u> of HB1007 HD1, which will improve the safety and economy of our state, while giving a fair shake to some of the most disenfranchised yet economically and socially critical members of our community.

Denying access to drivers licenses for out-of-status immigrants exacerbates the costly, prejudice-driven social ills that are embedded in federal immigration policies. As Hawai'i should be amply aware, unjustified xenophobia, prejudice and inherent unfairness has been a historic hallmark of federal immigration policies, which facilitated the great suffering and oppression faced by many of our direct ancestors. Even today, immigration status-related racial discrimination, exploitation and social prejudice continue to plague our most vulnerable immigrant communities, who for the most part seek only to contribute to our society and economy, and ensure better lives for their children and grandchildren. Not surprisingly, the current inability of our undocumented community members – who support our most critical local industries, pay \$50 million in local taxes and who nationally pay state and federal income taxes estimated at \$11.2 billion dollars annually -- to obtain drivers licenses reportedly facilitates racial profiling by police officers, and further isolates already marginalized communities from police and other critical social services necessary to ensure the health and well-being of our larger society. The continued incorporation of federal immigration policy into our drivers licensing statute will only add to such unnecessary and unjustified costs to the economy and social

¹ See Immigration Policy Center, Unauthorized Immigrants Pay Taxes Too (April 18, 2011) available at http://www.immigrationpolicy.org/just-facts/unauthorized-immigrants-pay-taxes-too.

fabric of our island home.

This bill will promote our economic and social well-being, while sending a strong message to Washington, D.C., as well as the continent as a whole. By enacting this measure, Hawai'i will promote the security and well-being of our most vulnerable communities, facilitate local economic development that has always relied upon immigrant labor, mitigate the further development of social prejudices, improve the safety of our roadways, and reduce insurance costs through greater participation in vehicular insurance programs. The realization of these benefits may also send a clear and strong message to Washington, D.C. and the continental United States regarding the valuable insight Hawai'i may hold, as informed by our unique island values and rich immigrant history.

Therefore, HealthyPacific.Org respectfully urges the Committee to **PASS** HB1007 HD1.

Thank you very much for the opportunity to testify on this important measure.



TESTIMONY IN STRONG SUPPORT OF HB 1007

Senate Committee on Transportation

March 17, 2015 · 2:50 p.m. · Hawai'i State Legislature Conference Room 229

To: Senator Nishihara, Chair

Senator Breene Harimoto, Vice Chair

Members of the Senate Committee on Transportation

From: Gabriela Andrade

Co-founder, Aloha DREAM Team

On behalf of the Aloha DREAM Team, I would like to express my **strong support** for HB 1007. I recognize this bill as a public safety measure that will benefit both Hawaii residents and the millions of visitors that come to our shores each year by ensuring that all of our drivers are trained, tested and insured.

The current standards set by the REAL ID Act are a hindrance to many in our society who cannot produce the extensive documents required, for many reasons. There are many people like Mr. Washington, a lawful resident and business owner of Haleiwa, who are forced to drive without a license every day through no fault of their own. Mr. Washington, like many Hawaii residents, resides in a rural location that receives no postal service, rendering him unable to provide proof of address. In addition to lost wages during his 3 unsuccessful trips to the DMV, his inability to renew his Driver's License has had a profound impact on his quality of life since it has led him to become more isolated as to avoid driving.

Making Driver's Licenses more accessible to undocumented immigrants is another way in which HB 1007 would make our communities safer. In addition to having better trained drivers, these immigrants would be more likely to report crimes if they could show a form of ID that wouldn't give away their immigration status. One woman, Susannah, reported an accident she was involved in last June and was sent to court, where she was almost deported and separated from her husband and 3 children.

The Aloha DREAM Team urges you to **support** HB 1007 and stand with the safety of all of Hawaii's people. Mahalo for the opportunity to testify.



Planned Parenthood of Hawaii

To: Hawaii State Senate Committee on Transportation

Hearing Date/Time: Tuesday, March 17, 2015, 2:50 p.m. Place: Hawaii State Capitol, Rm. 229

Re: Testimony of Planned Parenthood of Hawaii in support of H.B. 1007, HD1

Dear Chair Nishihara and Members of the Committee on Transportation,

Planned Parenthood of Hawaii ("PPHI") writes in support of H.B. 1007, HD1, which seeks to authorize the issuance of a limited purpose driver's license, limited purpose provisional driver's license, and instruction permit for Hawaii residents who are otherwise eligible but for a license or permit but are unable to provide proof of authorized presence in the United States.

Planned Parenthood of Hawaii is dedicated to providing Hawaii's people with high quality, affordable and confidential sexual and reproductive health care, education, and advocacy. To that end, we are deeply concerned that undocumented women, in particular survivors of gender-based violence, are heavily burdened by their inability to obtain a driver's license and seek health and other care for themselves and their families. H.B. 1007 will go far to ensure that all Hawaii residents have a safe and legal way to access health care.

Thank you for this opportunity to testify in support of H.B. 1007.

Sincerely,

Laurie Field
Director of Public Affairs & Government Relations

HONOLULU 1350 S. King Street, Suite 310 Honolulu, HI 96814 808-589-1149 KAUAI Education & Outreach 808-482-2756

KONA Education & Outreach 808-442-4243 MAUI Kahului Office Center 140 Ho`ohana Street, Suite 303 Kahului, HI 96732 808-871-1176



Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 ★ Honolulu, Hawai'i 96827

TESTIMONY IN STRONG SUPPORT OF HB 1007 D1

Senate Committee on Transportation

Mar. 17, 2015 · 2:50 p.m. · Hawai'i State Legislature Conference Room 229

To: Honorable Sen. Clarence Nishihara, Chair

Honorable Sen. Breene Harimoto, Vice Chair

Honorable Members of the Senate Committee on Transportation

From: Jake Manegdeg, President and Charlene Cuaresma, Vice President

Filipino American Citizens League

Subject: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle Driver Licensing

We are Jake Manegdeg, president, and Charlene Cuaresma, vice president, of the Filipino American Citizens League. We are very proud to strongly support this bill. The League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

The League sends you our appreciation for hearing this bill. We support this bill because it provides public safety protections and support to law enforcement officers by ensuring that all drivers, regardless of immigration status, are able to apply for a limited purpose driver's license, provisional license, instruction permit, car insurance, and be held accountable for public safety.

Thank you for the opportunity to speak up, in hopes of pointing our civil society in the direction of strengthening people's ability to participate more fully and responsibly in the daily tasks of acquiring food, shelter, clothing, transportation, health, education and more for themselves, their families, and others. The ability of Hawai'i's communities and economy to thrive depends on our values and policies to be inclusive for the benefit of all.

Sincerely,

Jake Manegdeg, President Charlene Cuaresma, Vice President Filipino American Citizens League



10 February 2015

Senator Nishihara, Chair Senator Breene Harimoto, Vice Chair Members of the Senate Committee on Transportation

Dear Mr. Nishihara, Mr. Harimoto and Members of the Senate Committee on Transportation:

Re: HB 1007 and SB683

Relating to Motor Vehicle Driver Licensing

Hearing Date, Time: 03-17-15, 2:50 PM Place: Conference Room 229

As Conference Minister of the Hawai'i Conference of the United Church of Christ, I write in support of HB 1007 and its Senate iteration, SB683, which would provide access to Hawai'i drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, provided that additional documentation regarding identity is provided.

HB 1007/SB683 is vital to ensuring the safety of our roadways for pedestrians, residents and visitors to Hawai'i. Ensuring that everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation. Nationwide, state legislatures are considering legislation to ensure roadway safety for all. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

The Hawai'i Conference of the United Church of Christ, the largest Protestant denomination in Hawai'i with 130 churches around the State, includes dozens of churches with members that would benefit from this bill. These are hard-working, gainfully employed, law-abiding citizens. However, when current paperwork requirements prevent some from applying for a driver's license, even when they are lawfully present, such as persons from the Marshall Islands and the Federated States of Micronesia, they cannot apply for a driver's license and are restricted in their ability to work, take children to school, run errands, and other activities normal and necessary for well-being.

Another benefit to the bill is reducing the number of unlicensed, uninsured drivers on our roads who generate damage claims that licensed, insured policy holders are forced to cover. When New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33 percent to 9 percent. With this bill, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates.

Yet another benefit of the bill is that it will foster public trust and safety. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

HB 1007 is even stronger than its Senate version because it contains important antidiscrimination protections, which are found in subsections (f), (g), and (h). We ask that you preserve these important provisions because they serve to guard against favoritism based on race and national origin.

Thank you for the opportunity to submit this testimony.

Sincerely,

Charles Buck

Conference Minister

TESTIMONY IN STRONG SUPPORT OF HB 1007

Senate Committee on Transportation

Mar. 17, 2015 · 2:50 p.m. · Hawai'i State Legislature Conference Room 229

To: Honorable Sen. Clarence Nishihara, Chair

Honorable Sen. Breene Harimoto, Vice Chair

Honorable Senate Committee Members: Sen. Donovan Dela Cruz, Sen. J. Kalani English, Sen. Will Espero, Sen. Lorraine R. Inouye, Sen. Michelle N.

Kidani, Sen. Ronald D. Kouchi, Sen. Sam Slom

From: Jovanie de la Cruz, Executive Board of Directors Member

Filipino Coalition for Solidarity

My name is Jovanie de la Cruz, Executive Board of Directors member of the Filipino Coalition for Solidarity. The Coalition strongly supports this bill. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawaiʻi and our global neighbors through education, advocacy, and social action.

We strongly support this bill. Applying for a driver's license is not possible for those who are unable to provide proof of legal status in the United States. It not only creates extraordinary stress on the ability for families to care for each other, but it also puts society at great risk when it concerns the lack of accountability for traffic safety. According to the American Auto Association, unlicensed drivers are five times more likely to be involved in a fatal car crash than licensed drivers. This bill will remedy this situation by allowing undocumented immigrants an opportunity to be trained, tested, and accountable in order to acquire a driver's license. In addition, we support the provisions of this bill, which sets restrictions for use of this driver's license for identification purposes. The public will be well served and all will be protected.

The Coalition extends our gratitude to you for hearing this important bill.

Respectfully,

Jovanie de la Cruz Executive Board of Directors Member Filipino Coalition for Solidarity



Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

NAMI, P.O. Box 2034 Aiea, HI 96701 E-mail: bramosrazon@aol.com

TESTIMONY IN STRONG SUPPORT OF HB 1007 D1

Senate Committee on Transportation

Mar. 17, 2015 · 2:50 p.m. · Hawai'i State Legislature Conference Room 229

To: Honorable Sen. Clarence Nishihara, Chair

Honorable Sen. Breene Harimoto, Vice Chair

Honorable Members of the Senate Committee on Transportation

From: Beatrice Ramos-Razon, RN, FACDONA

Co-Founder & President, Nursing, Advocates & Mentors, Inc.

Subject: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle Driver Licensing

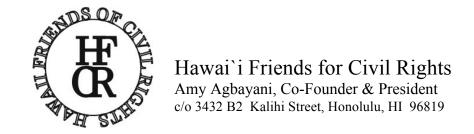
My name is Beatrice Ramos-Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), I am proud to submit our strong support for this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

NAMI strongly supports this bill, because this measure offers a viable solution for an estimated 40,000 people who reside in Hawai'i, and who cannot produce proof of legal status in the United States. It will reduce the financial burdens and risks on society due to traffic accidents that are aggravated when a significant segment of individuals drive without a license, and under the radar of accountability. The state of New Mexico has demonstrated that since 2003, when undocumented immigrants were issued drivers licenses, the rate of uninsured motorists fell from 33% to 9%. Hawai'i could likewise benefit.

Thank you for hearing this bill, and for the opportunity to share the hope that disenfranchised individuals and families can be strengthened by leaders like you, in order to become viable and accountable stakeholders and contributors to public safety and the well-being of all of Hawai'i's people.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA President, Nursing Advocates and Mentors, Inc.



TESTIMONY IN STRONG SUPPORT OF HB 1007 D1

Senate Committee on Transportation Mar. 17, 2015 · 2:50 p.m. · Hawai'i State Legislature Conference Room 229

To: Honorable Sen. Clarence Nishihara, Chair

Honorable Sen. Breene Harimoto, Vice Chair

Honorable Members of the Senate Committee on Transportation

From: Amy Agbayani, Ph.D., Co-Founder & President, Hawai'i Friends for Civil Rights

Subject: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle Driver Licensing

As the co-founder and president of Hawaii Friends of Civil Rights, I submit strong support for this bill. HFCR is a group dedicated to fulfilling the work of the late Dr. Martin Luther King, Jr. by addressing disparities and discrimination through the promotion of change agents for social justice through education, service and advocacy.

HFCR strongly supports this bill that would enable all Hawai'i residents, regardless of immigration status, to apply for a limited purpose driver's license, provisional license, and instruction permit. Concerns over public safety and benefits to law enforcement officers are addressed in this bill. Registering all drivers in the DMV safeguards public safety by increasing the number of trained, tested and accountable drivers. Possession of such a drivers license fosters responsible stewardship, and promotes greater civic engagement with law enforcement officers for investigations and emergencies for safe communities. The Pew Research Center estimates that 3.1 percent or 40,000 workers in Hawai'i cannot provide proof of legal presence in the United States. Among this group, immigrant women are the most vulnerable and stand to gain the most because of their dual roles as workers and family caregivers. The ability to have a drivers license enables people to participate fully in the daily transactions of commerce that are integral to healthy families and communities, such as commuting to work, accessing healthcare, education, food, shelter, clothing, place of worship, and recreation. Surely, if eleven other states with large immigrant populations have already benefitted from the prudence of enacting drivers license laws, Hawai'i can implement those best policy and management practices, as well.

Thank you for hearing this bill, and for the opportunity to provide our full support in your consideration of its passage.

Very Sincerely,

Amy Agbayani, Ph.D., Co-Founder and President, Hawai'i Friends of Civil Rights



TESTIMONY IN STRONG SUPPORT OF HB 1007 D1

Senate Committee on Transportation
March 17, 2015 · 2L50 p.m. · Hawai'i State Legislature Conference Room 229

To: Senator Clarence Nishihara, Chair

Senator Breene Harimoto, Vice Chair

Senate Members of the Committee on Transportation

From: Rouel Velasco, Chair

National Federation of Filipino American Associations Region 12

My name is Rouel Velasco, Chair, NaFFAA Region 12, which strongly supports this bill. NaFFAA Region 12 represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands. We are an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

NaFFAA supports the intent of this bill, which is to protect the public with an inclusive policy that offers undocumented immigrants to get a driver's license. That will allow them to drive to work, bring their family members to school, to the doctor's, go grocery shopping, be responsibly engaged in the daily transactions of commerce, and more. This will be in the public's best interest, because it will increase accountability and opportunity for people without federally required identification sources to use alternative forms of identification in order to apply for a drivers license. We also agree with the bill's comprehensive public safety provisions included.

Thank you for hearing this bill and for the opportunity to submit our strong support.

Sincerely,

Rouel Velasco, Chair, NaFFAA Region 12



Committee: Committee on Transportation
Hearing Date/Time: Tuesday, March 17, 2015, 2:50 p.m.

Place: Conference Room 229

Re: Testimony of the ACLU of Hawaii in Support of H.B. 1007, H.D. 1, Relating to

Motor Vehicle Licensing

Dear Chair Nishihara and Members of the Committee of Transportation,

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in **support of H.B. 1007, H.D. 1**, Relating to Motor Vehicle Licensing.

This bill will improve public safety. There are many individuals in Hawaii who currently drive without a license, and without insurance, because they cannot provide proof of lawful status in the United States. Allowing these individuals to obtain licenses will also allow them to obtain insurance, resulting in safer (and more economically secure) communities. Allowing these individuals to obtain licenses also increases the community's trust of law enforcement (and, with it, willingness to cooperate with law enforcement in criminal investigations).

The ACLU of Hawaii recommends the following amendment to protect those who hold these licenses from unlawful discrimination:

• In HRS § 286-___(c)(1), use the phrase, "Federal limits apply" rather than "Not acceptable for official federal purposes." The Department of Homeland Security accepted this phase for California driver's licenses. Shorter, less conspicuous language will reduce the risk of discrimination based on possession of the license.

We respectfully request that the Committee include this amendment and pass the bill.

Chair Nishihara and Committee Members March 17, 2015 Page 2 of 2

Thank you for this opportunity to testify.

Daniel M. Gluck Legal Director ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.

CHAIR

Clare Hanusz, Esq. 1003 Bishop Street, Suite 1600 Honolulu, HI 96813 Tel. (808) 531-8031 cmh@hawaiilawyer.com

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SECRETARY

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Tel. (808)587-9600
stella.shimamoto.esq@gmail.com

March 16, 2015

Honorable Senator Clarence Nishimoto, Chair Honorable Senator Breene Harimoto, Vice-Chair Honorable Members of the Senate Committee on Transportation

Hearing Date and Time: 03-17-2015 2:50 PM

Place: Conference room 229

RE: HB 1007 – STRONG SUPPORT

We write in strong support of HB 1007 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of "legal" presence or who are not given a Social Security number, if additional documentation regarding identity is provided.

HB 1007 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. Ensuring that everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation.

Currently, the documentation requirements mean that many people are not eligible for a Hawaii driver's license. For example, even many lawfully present foreign and US citizens are not eligible for the driver's license which they need to work and to carry out other daily activities because of the restrictive documentation requirements.

According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics in connection with an application), and 3) safely driving to work, to church, to run errands, or to drop children off to school. The need for driver's licenses was established as a priority by research participants.

Testimony in Support of HB 1007 March 17, 2015 Page 2

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and to increase public safety.

As an association of immigration lawyers, we see people with two distinct issues: one group of people does not have proof of "legal presence" yet has the need to drive legally. The second group has lawful presence under US immigration law, and yet the way the current law is being enforced to show the "legal presence" requirement is overly restrictive. Take the example of an engineer who is in H-1B nonimmigrant status working for a local engineering firm. His petition to extend his H-1B status is pending with US Citizenship & Immigration Services, and under the USCIS regulations, he is allowed to continue to work and to live in the US while his petition is pending. However, DMV refuses to issue him a renewal on his license, even with the original receipt showing that his extension is pending with USCIS. Here's another example: a nursing student graduate of a local university who is here during the grace period after her Optional Practice Training work authorization has expired and who has married a US citizen. She has filed an application for adjustment of status and may have to wait as many as 90 days for her work authorization to be renewed by USCIS. Both people in these examples have lawful presence, but both are being shut out of drivers' license renewals, even under the current law.

Thank you for the opportunity to testify.

Aloha,

AMERICAN IMMIGRATION LAWYERS ASSOCIATION - HAWAII CHAPTER

s/ Clare M. Hanusz Clare M. Hanusz Chair

Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i. Washington, DC: Migration Policy Institute.

To: <u>TRA Testimony</u>

Cc: <u>april.alohadreamteam@gmail.com</u>

Subject: *Submitted testimony for HB1007 on Mar 17, 2015 14:50PM*

Date: Monday, March 16, 2015 1:18:26 PM

HB1007

Submitted on: 3/16/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing	
April Kamilah Bautista	Aloha DREAM Team	Support	Yes	

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

To: TRA Testimony
Cc: espihawaii@juno.com

Subject: *Submitted testimony for HB1007 on Mar 17, 2015 14:50PM*

Date: Saturday, March 14, 2015 10:21:27 PM

HB1007

Submitted on: 3/14/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Deanna Espinas	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

To: TRA Testimony
Cc: amybrinker@mac.com

Subject: *Submitted testimony for HB1007 on Mar 17, 2015 14:50PM*

Date: Sunday, March 15, 2015 4:03:59 PM

HB1007

Submitted on: 3/15/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

To: TRA Testimony
Cc: wctanaka@gmail.com

Subject: Submitted testimony for HB1007 on Mar 17, 2015 14:50PM

Date: Sunday, March 15, 2015 7:53:20 PM

HB1007

Submitted on: 3/15/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne	Individual	Support	No

Comments: Please PASS this important measure and keep Hawai'i on the forefront of smart and humane policymaking on behalf of all our islands' residents. Mahalo nui!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

To: <u>TRA Testimony</u>

Cc: jegan@migrationcounsel.com

Subject: Submitted testimony for HB1007 on Mar 17, 2015 14:50PM

Date: Monday, March 16, 2015 9:01:28 AM

HB1007

Submitted on: 3/16/2015

Testimony for TRA on Mar 17, 2015 14:50PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John Egan	Individual	Support	No

Comments: This is a common-sense improvement for public safety, and serves the interest of inclusive communities. Please vote in favor.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

To: Senator Nishihara, Chair Senator Breene Hirimoto, Vice Chair Members of the Senate Committee on Transportation

From: Claudia Lara

President of La Raza Unida Latino Student Association at UHM Member of the Aloha DREAM Team Political Science & Ethnic Studies Double Major

Re: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle Driver Licensing

I write in continued urgent and sincere support of HB 1007, both as the product of an immigrant community and as a member of our larger society here in Hawai'i. I am currently a fourth year student at the University of Hawai'i at Manoa and the first to go to college in my family. I graduated from Maui High School on Maui Island where I first hand experienced the ways in which lack of access to driver's licenses oppresses our hardworking immigrant communities that cannot provide proof of legal status in the United States.

According to the PEW Research Center, 3.1 percent of Hawai'i's population, what equals about 40,000 individuals, cannot prove their lawful status in the country. As a result these 40,000 individuals, members of our workforce, our youth, and economic contributors, are either driving unlicensed, and consequently untested and uninsured, or not driving at all.

On Maui Island, where we have a poor public transportation system, a driver's license is vital to everyday life. For my mother, who was undocumented for almost 20 years, lack of a license meant it became incredibly difficult for her to do the things a primary provider and caretaker does for their family. During the time she was unlicensed, she was unable to pick up and drop off my sister and I from school, doctors appointments, extra curricular activities, church, and was barred from essential tasks such as grocery shopping. Luckily we had my Step Dad, who was able to step up and do these important tasks for our family. But many in our community don't have this option. Today, my mom has her residency and is safely licensed on the road.

In the same ways my mother had my father to help her, my mom today also serves as a source of transportation for the families who do not have the resources we had to pull from. It means picking up and dropping off my sisters friends from school, taking people to and from church, and picking up groceries for others.

But when my mom isn't available to help, what else can our friends do, than be forced to drive untested, unlicensed, and uninsured on our roads? What do they do when their children have emergencies and they cannot take them to the hospital or pick up their medicine? These are not just hypotheticals. They are situations which happen often on Maui and our outer islands.

Providing a limited purpose driver's license, provisional license, and instruction permit for all Hawai'i residents regardless of immigration status, will not only benefit our immigrants themselves, but their American born Keiki and our larger society of both residents and visitors. It

will make our roads safer, by guaranteeing that all are tested, licensed, and insured while driving. It will make it easier for law enforcement and immigrant communities to work together in solving criminal investigations, and eliminate time wasted in trying to determine the identification of arrestees who have no form of I.D. It will be economically beneficial by allowing equal access to transportation to and from work and places of consumerism. HB 1007 simply makes sense for Hawai'i, a special place with a rich history of immigrant presence. I thank you for taking the time to focus on such an important issue. I hope you too see the importance of providing a limited purpose driver's license, provisional license, and instruction permit for all Hawai'i residents.

Additionally, I ask that you preserve the strong anti-discrimination protections in this needed piece of legislation found in subsections (f), (g), and (h). This will guarantee a just and equitable Hawai'i for all, protecting against the very real possibilities of discrimination based on race or national origin.

With a deepest Aloha and Mahalo,

Claudia Lara